

Message Text

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C O N F I D E N T I A L KINGSTON 2008

E.O. 11652: GDS
TAGS: PINT, PINS, MILI, JM
SUBJECT: LID GOING BACK ON "GREEN BAY INCIDENT"

REF: KINGSTON 0828

1. NATIONAL SECURITY MINISTER DUDLEY THOMPSON'S EAGERLY
AWAITED STATEMENT ON THE "GREEN BAY INCIDENT" (SEE KINGSTON
0648) WAS FINALLY MADE ON FEBRUARY 15 FOLLOWING THE MINISTER'S
RETURN TO KINGSTON FROM ALGERIA. THE STATEMENT NOT ONLY
FAILED TO SHED ANY LIGHT ON THE UGLY INCIDENT, IN WHICH FIVE
MEN DIED WHEN AMBUSHED BY A JAMAICA DEFENSE FORCE (JDF) UNIT,
BUT MAY HAVE ALSO REPRESENTED AN EFFORT TO PUT A FIRM LID BACK
ON THE MATTER. IN HIS BRIEF STATEMENT, THOMPSON SAID THAT
THE MATTER HAS BEEN REFERRED TO THE CORONER FOR A PUBLIC
INQUEST TO BE HELD "AT THE EARLIEST POSSIBLE DATE".
THOMPSON WENT ON TO ADVISE THE PUBLIC "...NOT TO BE
ALRMED BY THE HIGHLY INFLAMMATORY BIASED AND IN MANY
CASES INCORRECT ALLEGATIONS BEING GIVEN WIDESPREAD
CIRCULATION WITH THE UTMOST DISREGARD FOR THE DAMAGE
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THAT MAY BE DONE NOT ONLY TO NATIONAL MORALE BUT TO
THE VERY IMPARTIALITY OF THE PUBLIC INQUIRY WHICH
IS THE RIGHTFUL EXPECTANCY OF ALL JAMAICANS.
I ONCE MORE APPEAL TO THE PUBLIC IN GENERAL AND TO
CERTAIN SECTIONS OF THE MEDIA IN PARTICULAR NOT TO
SPREAD IDLE RUMOUR OR UNFOUNDED ALLEGATIONS WHICH COULD
SERIOUSLY HINDER THE INVESTIGATIONS AND POSSIBLY DAMAGE

NATIONAL SECURITY".

2. COMMENT: THOMPSON'S STATEMENT THAT AN INQUEST WILL BE HELD SERVES TO PLACE THE MATTER "SUB JUDICE", AN MAY WELL BE AN ATTEMPT TO INHIBIT THE REPORTING OF "THE GLEANER" AND "THE STAR", ITS SISTER PAPER, WHICH HAVE BEEN ZEALOUS IN SEEKING TO FERRET OUT AND MAKE PUBLIC THE TRUTH ABOUT THE "GREEN BAY INCIDENT". ACCORDING TO A LEADING MEMBER OF THE JAMAICA BAR, MOST OF HIS COUNTRYMEN BELIEVE THAT ONCE A MATTER IS PLACED UNDER THE JURISDICTION OF THE COURTS, IT MAY NO LONGER BE THE SUBJECT OF PUBLIC AND, MORE PARTICULARLY, PRESS COMMENT. HOWEVER, HE STRESSES THAT WHILE THE "GREEN BAY INCIDENT" IS INDEED NOW "SUB JUDICE", THIS DOES NOT BAR ALL COMMENT. RATHER, THE ONLY LIMITATION IS ON COMMENT WHICH IS INTENDED TO OR MAY SIMPLY INFLUENCE THE FINDING OF THE COURT (OR, IN THE PRESENT CASE, THE CORONER). THUS, IT MAY BE PERMISSIBLE TO DESCRIBE THE FACTS IN A GIVEN CASE.

3. WE THINK THAT THE MOVE TO REFER THE "GREEN BAY INCIDENT" TO THE CORONER FOR INQUEST IS, HOWEVER, AN EFFORT TO HALT THE MOUNTING SPECULATION AS TO THE ROLE OF THE JDF AND ITS MILITARY INTELLIGENCE UNIT IN THE MATTER. THOMPSON, A SUCCESSFUL LAWYER IN HIS DAY, DOUBTLESS KNOWS THE LAW REGARDING MATTERS WHICH ARE "SUB JUDICE", BUT IS COUNTING ON POPULAR BELIEF TO COMPEL A MEASURE OF SILENCE. INsofar CONFIDENTIAL

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AS "THE GLEANER" AND "THE STAR" ARE CONCERNED, THEY DOUBTLESS KNOW THE LAW REGARDING "SUB JUDICE". HOWEVER, THEY MAY NEVERTHELESS FEEL INHIBITED FOR THE LINE BETWEEN FACTUAL REPORTING AND EDITORIALIZING CAN BE HARD TO DRAW AND, GIVEN THE GLEANER COMPANY'S SHAKY FINANCES, THEY MAY NOW WANT TO RISK LENGTHY -- AND POSSIBLY EXPENSIVE -- LITIGATION.
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